

Present: Jane Connolly, Chairman; Joe Limone, Vice Chairman; Don Saltzman, Stephan Grozinger, Ken Edgar, Britta Lerner, Pierre Ratte

Also Present: Land Use Director

Recorded digitally on February 4, 2013

#### APPROVAL OF MINUTES:

Don Saltzman moved that the Commission approve the minutes of 12/7/12 and 1/7/13. Seconded by Stephan Grozinger. Vote in favor (5-0) Britta Lerner and Ken Edgar late to the meeting.

APPLICATION FOR ZONING PERMIT, INTERIOR WORK FOR J.K. CAFÉ AT COBB'S MILL INN, 12 OLD MILL ROAD (D. FRIEDMAN) (REFERRAL FROM ZONING ENFORCEMENT OFFICER PER STANDARD OPERATING PROCEDURES MEMO DATED JUNE 20, 2011)

Owner, Drew Friedman arrived late (7:50 PM) with his business partner, Elayne Cassara, to answer questions of the Commission.

The members discussed the application for a Zoning Permit for the interior work for the proposed café at Cobb's Mill Inn. Stephan Grozinger referenced Section 52.3 of "Connecticut Land Use Law and Practice" by Attorney Fuller relating to a nonconforming business use that existed before zoning (attached). Also noted was a document from the Zoning Board of Appeals, dated May 14, 1953 relating to the forge and gift shop at the Cobb's Mill Inn property (attached). In the ensuing discussion the Commission also noted that Mr. Friedman has an outstanding notice of violation from the Conservation Commission which also affects Planning & Zoning. The violation relates to the bridge on the property. Mr. Grozinger mentioned that under Section 421 of the Zoning Regulations no building structure or premises or any part thereof can be devoted to a new or changed use until a certificate of Zoning Compliance has been issued.

After additional discussion the Commission decided to receive and discuss the Zoning Permit application with the following motion:

# JK CAFÉ AT COBBS MILL INN CON'T

Stephan Grozinger moved that the Commission receive the application for a Zoning Permit for Interior work for the J.K. Café at Cobb's Mill Inn, 12 Old Mill Road. Second by Britta Lerner. Vote in favor (7-0)

The applicants then responded to detailed questions from the Commission regarding the scope of the proposed work, the operation and ownership of the proposed café, and safety issues involving this new operation.

After further discussion, the Commission decided to ask the Town Attorney for a legal opinion regarding the legality of the operation of the café under the Zoning Regulations. The applicants were also made aware of the provisions of Section 421 of the Regulations, mentioned above, relating to outstanding violations.

To be on the agenda for February 19<sup>th</sup>.  
1hr.29mins.

## DISCUSSION CONTINUED: POTENTIAL AMENDMENTS TO THE ZONING REGULATIONS:

1. DETACHED ACCESSORY DWELLING UNITS, SECTION 321 AND 345 LIMIT ACCESSORY DWELLING UNITS TO WITHIN THE PRINCIPAL DWELLING.

The Chairman will do additional research on surrounding Towns. The Chairman's view was that the Commission should solicit significant public input before adopting such a proposal.

## DRAFT PROPOSAL FOR NEW SECTION 314, DRIVEWAYS TO REPLACE THE TOWN DRIVEWAY ORDINANCE

The Vice Chairman drafted two different proposals of ways to interpret the driveway ordinance. A discussion followed with the sense that, when approved, the provisions relating to driveways would be added to the Zoning Regulations and Subdivision Regulations.

1hr.41 mins.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Unanimous approval on March 4, 2013